## I. Formal Matters

The Office Action objects to claim 22, alleging that the claim includes informalities. In addition, the Office Action rejects claims 22-32, 34-39, 43 and 44 under 35 USC §112, second paragraph, as allegedly indefinite. Withdrawal of the objection and rejection in view of the following remarks is respectfully requested.

The Office Action suggests alternate wording for independent claim 22. While Applicant appreciates the Examiner's suggestions, Applicant would prefer to maintain claim 22 in its current form. Further, Applicants respectfully submit that claim 22, as currently phrased, is proper and definite.

Claim 22 reads on an embodiment as illustrated in Figure 2 of the application. In Figure 2, the recited "closing member" is identified with the reference numeral 12. The closing spring is identified with reference numeral 16. The recited "gripping device" is part of a unitary element that includes a generally circular-shaped element identified with with reference numeral 20, a gripping latch 34 cut into the circular element 20, as well as an opening lever 52 and an arm 54. All of these elements are part of the same physical unitary piece.

Claim 22 recites that the gripping device can be gripped and moved by a user to open the door lock. While it is true that the user would grip the portion of the unitary element identified with reference numeral 52, which protrudes from the front of the door, the fact that the user physically grasps the portion identified with the reference numeral 52 does not mean that this portion is not part of the same unitary element as the other features identified with reference numerals 20, 34 and 54. The entire unitary element is part of the same "gripping device."

In view of all of the foregoing, and in view of the long settled rule of patent law which holds that the Applicant can be his own lexicographer, it is respectfully submitted that claim 22 is proper and definite as currently phrased.

The Office Action also rejects claim 26 as allegedly indefinite. Claim 26 recites that the locking head of the means for selectively blocking moves between the first

position and second position in a direction of movement that is substantially perpendicular to the direction of movement of the closing member. Claim 26 further recites that the locking head of the means for selecting blocking has a conical shape. Further, claim 26 recites that when very high forces act on the closing member, angled contact between the circumferential surface of the locking head and the bearing surface of the recess of the closing member generates a normal force that causes the means for selectively blocking to move into the second position.

With reference to the embodiment illustrated in Figure 1, claim 26 describes a situation where a user has not manually moved the locking head 74 of the means for selectively blocking from the first position to the second position before pulling upward on the opening lever 52 in an attempt to open the door. Claim 26 describes a situation where a user applies a very high force to the opening lever 52, which in turn causes a very high force to be applied to the closing member 12 by the arm 54 of the gripping device. Claim 26 recites that because the locking head 74 has a conical shape, angled contact between the conical surface of the locking head 74 and a bearing surface of the recess 71 of the closing member 12 generates a normal force that moves the locking head 74 into the second position. In other words, by applying a very high force to the gripping device in the opening direction, the locking head 74 is forced out of the recess 71 in the closing member 12 and into the "second position," where the locking head 74 does not block movement of the closing member 12.

Claim 26 is not intended to describe a situation where contact between the bearing surface of the recess of the closing member and the locking head has moved only part of the way down the conical surface of the locking head. Instead, claim 26 is intended to recite that the very high force applied to the gripping device, which is transferred to the closing member, ultimately moves the locking head all the way to the second position, so that the door lock can be opened.

In view of the foregoing explanation, it is respectfully submitted that claim 26 is clear and definite under Section 112.

The Office Action also questions how claim 31 can depend from independent claim 22. The Office Action notes that claim 31 recites a gripping shell, and the Office Action appears to assume that if a gripping shell is present, the locking mechanism must be similar to the one illustrated in Figures 8-12.

It is true that a gripping shell is illustrated in Figure 8, and that Figure 8 illustrates a locking mechanism which is different from the one illustrated in Figure 2. However, the fact that a gripping shell is not specifically illustrated in Figures 2 and 3 does not mean that a gripping shell cannot mounted on a door of an appliance which also includes the locking mechanism illustrated in Figures 2 and 3. In fact, a gripping shell could be used on an appliance door having any of the locking mechanisms illustrated in the present application.

For the above reasons, it is respectfully submitted that it is appropriate for claim 31 to recite a gripping shell, even through claim 31 depends from claim 22 and is directed to an embodiment having a locking mechanism similar to the one illustrated in Figures 2 and 3. Accordingly, it is respectfully submitted that claim 31 is proper and definite under Section 112.

In view of all the foregoing, withdrawal of the objection to claim 22 and the rejection of claims 22-32, 34-39, 43 and 44 under Section 112 is respectfully requested.

## II. Allowable Subject Matter

The Office Action indicates that claims 23, 25, 26, 29-32, 34-36, 38, 39 and 44 all recite allowable subject matter. The indication of allowable subject matter is acknowledged with appreciation. Because Applicant believes that all claims are allowable, Applicant respectfully declines to rewrite these claims into independent form at this time.

**III. The Claims are Allowable over Nozomu and Dirnberger**

The Office Action rejects claims 22, 24, 27, 28, 37 and 43 under 35 U.S.C. §103(a) over US Patent No. 3,799,596 to Nozomu et al. (hereinafter "Nozomu"), in view of German Patent No. 19601228 to Dirnberger (hereinafter "Dirnberger"). For the reasons provided below, the rejection is respectfully traversed.

Nozomu is directed to a locking mechanism which is intended to be used on the door of a vehicle. The locking mechanism includes a latch member 12 which engages a striker pin 11 which would be mounted on a frame of a vehicle. The latch member 12 is rotatable, and when in the position illustrated in Figure 1, the latch member 12 is secured around the striker pin 11 so that the door will remain closed.

The Nozomu locking mechanism also includes a locking lever 13 which is also rotationally mounted on the mounting plate 10. In the position illustrated in Figure 1, the locking lever 13 prevents the latch member 12 from rotating out of the closed and locked position. However, the locking lever 13 can be rotated clockwise by either an internal release lever 21 or movement of an outer door release handle 27. When the locking lever 13 has rotated in the clockwise direction to the position illustrated in Figure 3, a pawl 13a of the locking lever 13 releases the latch member 12 so that it can rotate clockwise to allow the door to open.

The Nozomu locking assembly also includes a safety mechanism that is intended to prevent the door lock from opening during a collision. The safety assembly includes a weight member 19 which is attached to a second arm 13d of the locking lever 13 by an axis pin 18. The weight member 19 is allowed to rotate around a spherical end of the axis pin 18. When the vehicle is stationary, and in its normal upright position, the weight member 19 remains vertical. As a result, it is possible to rotate the locking lever 13 clockwise to release the latch member 12, and thereby open the door. The clockwise movement of the locking lever 13 moves the weight member 19 upward. However, the upper arm 19c of the weight member 19 is allowed to move upward and pass through a circular aperture 23a in a blocking member 23.

On the other hand, if the vehicle is suddenly accelerated in any direction, as would occur during a collision, the weight member 19 will pivot around the spherical end of the axis pin 18 and assume a titled position. Figure 4 illustrates the weight member 19 in a tilted position. When the weight member 19 has tilted, as illustrated in Figure 4, the weight member 19 is blocked from moving upward due to interference between the upper arm 19c of the weight member and the blocking member 23. As a result, it is impossible to rotate the locking lever 13 in a clockwise direction to open the door lock.

Applicant notes that the safety mechanism in the Nozomu locking assembly can only be activated by suddenly accelerating the vehicle in some direction, as would occur during a collision. Applicant further notes that because the weight member 19 is contained within the locking mechanism, and because the locking mechanism is contained within a door of the vehicle, it is impossible for a user to manually move the weight member 19 into a position which would activate the safety mechanism. Likewise, a user also cannot move the weight mechanism into a position that allows the lock mechanism to open. Instead, the position of the weight member 19 will simply depend on whether the door and lock mechanism are experiencing sudden acceleration.

Independent claim 22 of the present application is directed to an electric household appliance that includes a door. Claim 22 recites a door lock for the door, the door lock having a frame located on the door. Claim 22 recites a closing member that is movably mounted in the frame, and a closing spring disposed between the closing member and a counter-bearing in the frame. Claim 22 further recites a gripping device that can be gripped and moved by a user to open the door lock. The closing member is operatively connected to the gripping device.

Claim 22 further recites means for selectively blocking movement of the closing member, the means for selectively blocking being selectively positionable between a first position in which the means for selectively blocking blocks movement of the closing member, whereupon the blocked movement of the closing member operates as a child safety feature. Claim 22 also recites that the means for selectively blocking can be

moved into a second position in which the means for selectively blocking does not block movement of the closing member, whereupon the child safety feature is deactivated. Thus, claim 22 recites that the means for selectively blocking can be selectively positionable between the first (child safety lock engaged) and second (child safety lock disengaged) positions. This allows a user of the appliance to move the means for selectively blocking into the second position, thus deactivating the child safety feature, to allow the door lock mechanism to open.

The Office Action appears to assert that one of ordinary skill in the art would have found it obvious to replace the lock mechanism disclosed in Dirnberger with the lock mechanism disclosed in Nozomu. Applicant respectfully disagrees.

In the Nozomu locking mechanism, the weight member 19 and the corresponding blocking member 23 would correspond to the "means for selectively blocking movement of a closing member" recited in claim 22. However, as explained above, it is impossible to selectively position the weight member 19 at either a first position (which blocks opening of the lock assembly) or at a second position (which allows the lock assembly to open). The only way to cause the weight member to tilt into a position where it would block the lock assembly from opening (which corresponds to the recited first position) would be to suddenly move the lock assembly in a certain direction or to tilt the device in which the lock assembly is mounted sufficiently so that the upper arm 19c of the weight member 19 contacts a portion of the blocking member 23 outside the central aperture 23a.

If a lock assembly as disclosed in Nozomu were mounted in an appliance, which is not accelerated or tilted during normal operations, the weight member 19 of the Nozomu lock assembly would never move from the position illustrated in Figures 1 and 2 of Nozomu. This is the position corresponding to the "second position" recited in claim 22, which allows the lock assembly to open. Thus, if the Nozomu lock assembly were mounted in an appliance, the safety mechanism of the Nozomu lock assembly would

never be activated. The weight member 19 and the blocking member 23 would serve no function whatsoever.

Because the Nozomu lock assembly's safety mechanism would be inoperative when mounted in a stationary appliance, and because Nozomu's lock mechanism is more complex and expensive to produce than the locking assembly already present in the Dirnberger appliance, it is respectfully submitted that one of ordinary skill in the art would have had no reason to replace Dirnberger's lock assembly with Nozomu's lock assembly. For all these reasons, it is respectfully submitted that the combination of references is improper and that the rejection should be withdrawn.

Moreover, even the improper combination of Dirnberger and Nozomu fails to include a lock mechanism with all the features recited in claim 22. Claim 22 recites that the means for selectively blocking movement of a closing member is selectively positionable between a first position in which the closing member is blocked from moving and a second position in which the closing member is not blocked from moving. And as explained above, the safety mechanism of the Nozomu lock mechanism is not selectively positionable in corresponding first and second positions. In fact, a user cannot manipulate the weight member 19 of the Nozomu lock assembly to place it in a blocking or a non-blocking position. Accordingly, it is respectfully submitted that claim 22 is allowable over even the improper combination of Dirnberger and Nozomu. Claims 24, 27, 28, 37 and 43 depend from claim 22 and are allowable for the same reasons, and for the additional features which they recite.

In view of all the foregoing, withdrawal of the rejection of claims 22, 24, 27, 28, 37 and 43 over Nozomu and Dirnberger is respectfully requested.

## IV. Conclusion

In view of the above, entry of the present Amendment and allowance of the claims are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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